

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

VICKY J. MCKIMMEY,	)	
	)	
Plaintiff,	)	4:06CV3138
	)	
v.	)	
	)	
BRIAN STOBBE, and NICOLE	)	MEMORANDUM AND ORDER
STOBBE,	)	
	)	
Defendants.	)	
	)	

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The plaintiff has moved for leave to file an amended complaint. Filing 24. Under Rule 15(a) of the Federal Rules of Civil Procedure, "[a] party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served."

The plaintiff has not previously filed an amended complaint, and the defendant has not filed an answer to plaintiff's initial complaint. Accordingly, the plaintiff need not seek leave of the court to file an amended complaint.

IT THEREFORE HEREBY IS ORDERED: The plaintiff's motion for leave to file an amended complaint, filing 24, is granted. The plaintiff's proposed amended complaint shall be filed on or before October 4, 2006.

DATED this 27<sup>th</sup> day of September, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge